IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 27954 of 2006(C)

PETITIONER:

ASIYA, W/O. USSAIN,
KOODATHAL, PATHIMANGALAM,
KUNNAMANGALAM P.O., KOZHIKODE.

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:

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1. THE MANAGER,
STATE BANK OF TRAVANCORE, KUNNAMANGALAM.

2. THE AUTHORISED OFFICER,
STATE BANK OF TRAVANCORE, KUNNAMANGALAM BRANCH,
KOZHIKODE.

3. THE AUTHORISED OFFICER,
STATE BANK OF TRAVANCORE, ZONAL OFFICE,
KOZHIKODE.

4. THE RESERVE BANK OF INDIA, REPRESENTED
BY DEPUTY MANAGER, BAKEL JUNCTION,
THIRUVANANTHAPURAM.

BY ADV. SRI.SATHISH NINAN
SRI.SANTHOSH MATHEW

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE NOTICE ISSUED BY THE AUTHORITY DATED 01.11.2005.

EXT.P2: TRUE COPY OF THE JUDGMENT DATED 03.04.2006 IN W.P.(C). NO. 10070/2006 PASSED BY THIS HON'BLE COURT.

EXT.P3: TRUE COPY OF THE NOTICE ISSUED BY THE AUTHORITY DATED 18.10.2006.

RESPONDENTS' EXHIBITS: NIL

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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W.P.(C) NO. 27954 OF 2007

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Dated this the 19th day of July, 2007.

JUDGMENT

The writ petition is filed with the following prayer:

i. issue a writ of mandamus or other appropriate writ, order or direction to the 1st and 2nd respondents to consider the proposal of the petitioner for OTS benefits and settle the dispute/claim under One Time Settlement Scheme and till then restrain the 1st and 2nd respondents in taking coercive steps against the petitioner's property.

2. It is submitted that despite Ext.P2 judgment, the matter has not been considered. Since the petitioner has been relegated by this Court to pursue the matter with the bank under the one time settlement scheme, there is no justification in not considering the case of the petitioner before the coercive steps presently taken by the bank as per Ext.P3. In case the petitioner has still any grievance left regarding the non-implementation of Ext.P2 judgment, it is for the petitioner to pursue the matter in appropriate proceedings.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

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